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HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No. 1240 of 2004

Petitioners	1.	R. K. Dwivedi, S/o R. S. Dwivedi, aged about 37 years, occupation-service, resident of West Chirmiri, District – Korea (CG).
	2.	Santosh Kumar Singh, S/o Late Shri Ramjeevan Singh, aged about 32 years, occupation – service, health Department, P.H.C. Mansuk, CHC Bekunthpur, District-Korea.
	3.	Bansi Lal Yadav, S/o Shri Jai Nath yadav, aged about 36 years, occupation-Service, CHC Khardgawan, PHC Salko, Tehsil Manendragarh, District- Korea (CG).
	4.	Rajeshwar Prasad Mishra, S/o Ram Yash Mishra, aged 32 years, PHC Kota, CHC Janakpur, Tehsil Janakpur, Bharatpur, District Korea (C.G.)
	Versus	
Respondents	1.	The Union of India, Through the Secretary Department of Health Services, Directorate of health Services, Nirman Bhawan, New Delhi.
	2.	State of Chhattisgarh, Through the Secretary Health Services, Manrralay, D.K.S. Building, Raipur (CG).
	3.	The Joint Director, Leprosy, Directorate, Health Services, Raipur.
	4.	Director, Health Services, Raipur (CG)
	5.	Chief Medical and Health Officer, Korea District Korea, Baikunthpur (CG).
	6.	The District Collector, Korea (CG), Baikunthpur (CG).

SB: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

Shri Awadh Tripathi, Advocate for the petitioners.

Shri S. K. Beriwal, Standing Counsel for the respondent No.1.

Smt. Anju Ahuja, Deputy Govt. Advocate for the respondents No. 2 to 6.

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ORDER

(Passed on this 21st day of March, 2007)

The following order of the Court is passed by **Satish K. Agnihotri, J.**

1. By this petition under Article 226/227 of the Constitution of India the petitioners seek to challenge the legality, validity and propriety of the order dated 31.3.2004 (Annexure P/11), whereby their services have been terminated, in view of the order dated 9.2.2004 issued by the Government of India, Directorate of Health Services, New Delhi, wherein it is mentioned that the employees, who were appointed as A.N.M. Leprosy Workers in district Korea, their services be terminated from the month of March, 2004.
2. The petitioners were appointed of various posts vide orders dated 30.9.1994 (Annexure P/1) under the terms and conditions laid down in the said order. The first condition was that the petitioners were appointed on contract basis for a period of three years, the second condition was to the effect that after giving one month's notice the employer or employee can terminate the contract and third condition was that the petitioners will not be entitled for any claim for continuation of their services and their services will automatically be terminated on the expiry of the agreement or completion of the project. Thereafter the petitioners continued to work on the same post till the impugned order dated 30.9.1994 (Annexure P/1) was passed.
3. Learned counsel appearing for the petitioners, as well as for the respondents submit that the facts and question of law involved in the present petition is similar to that in the Writ Petition No. 1794/2003 (Santosh Kumar Sahu Vs. State of Chhattisgarh & others) which was disposed of vide order dated 26.6.2003, wherein it has been directed that "if the petitioner makes a representation within a period of one

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month from today, concerned authority shall look into the matter and if the services of the petitioner can be absorbed then they can consider his case for absorption/appointment."

4. In view of the above, this petition stands disposed of with the direction that if the petitioners make a representation to the concerned authority within a period of one month from today, it shall consider and decide the same on its own merits, in accordance with law, within a reasonable period. If it is permitted to absorb the petitioners, then they should consider their cases for absorption/re-appointment in services. Consequently, M(W)P No. 907/2007 stands disposed of.

Sd/-
Satish K. Agnihotri
Judge

Thakur